

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6250 of 2020

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Ranjan Kumar Chaudhary, Son of Madan Chaudhary, Resident of Village-
Maharajganj, District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Patna, Bihar.
2. The District Magistrate, Saran.
3. The Superintendent of Police, Saran.
4. The Officer-in-charge, Ekma Police Station, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Respondent/s : Mr. Vivek Prasad (Gp7)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

2 05-11-2020 The proceedings of the Court are being conducted

through Video Conferencing and the Advocates joined the

proceedings through Video Conferencing from their residence.

Petitioner has prayed for following reliefs:-

“(a) For issuance of appropriate writ in
the nature of mandamus commanding and
directing the respondent authorities to release
the Hero Glamour motorcycle of the petitioner
bearing Registration No. BR0428902, Chassis
No. MBLJAR01XJ9F02707, Engine No.
JA06EHJ9F34805 seized by the Ekma police in



connection with Ekma police station case no. 310 of 2019 registered under section 30(a) of Bihar Prohibition Excise Act 2018 in favour of the petitioner or his representative the vehicle in question has been seized with allegedly wine total 40 ltr of country made wine was recovered from the vehicle of the petitioner, the case is presently pending in the court of Addl. Sessions Judge-II-cum-Special Judge, Saran.

(b) For the issuance of any other relief/reliefs to which the petitioner may found entitled to in the facts and circumstances of the present facts and circumstances of the case in favour of the petitioner.”

Learned counsel for the petitioner seeks permission to withdraw this writ petition as during pendency of this writ petition, final order of confiscation has been passed, as such, present petition for interim relief of vehicle has become infructuous.

The writ petition is dismissed as withdrawn with liberty to petitioner to assail the order passed by Confiscating Authority by filing an appeal before the appellate authority. If any such appeal is filed within 30 days, the delay in filing the appeal may be condoned by the appellate authority, as the matter remain pending before this Court and appellate authority shall



decide the appeal on merit within 60 days from the date of filing
of such appeal.

(Sanjay Karol, CJ)

(S. Kumar, J)

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